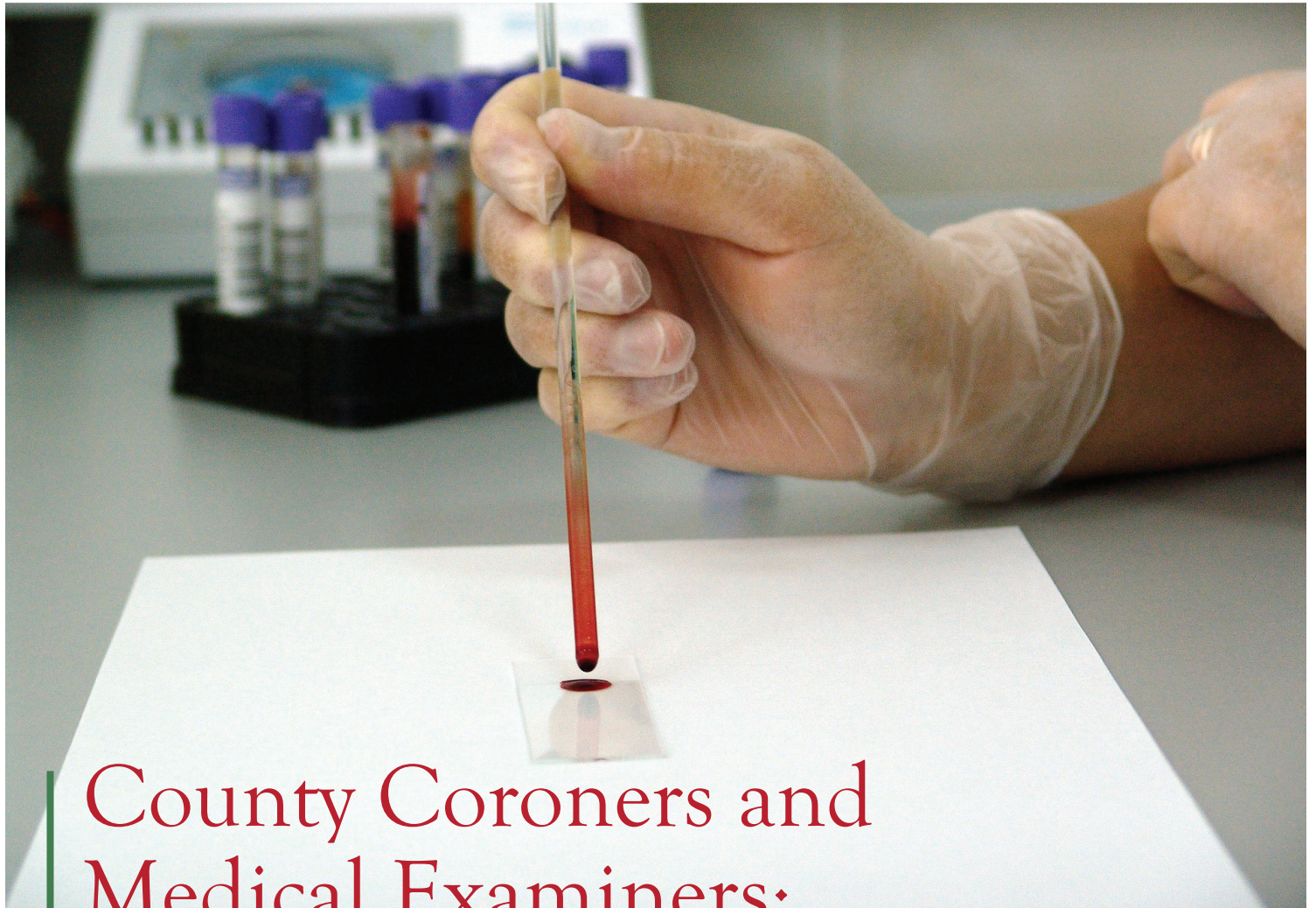




**NYSAC**  
NEW YORK STATE  
ASSOCIATION OF COUNTIES

**COUNTY CORONERS &  
MEDICAL EXAMINERS**



# County Coroners and Medical Examiners: Emerging Funding Challenges


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## Introduction

Presently, there are 35 counties with a Coroner's Office and 20 counties with a Medical Examiner's Office, including New York City. Three counties in New York operate under a coroner model, but their District Attorney serves as the elected coroner.

In general, coroners are independently elected officials while medical examiners are appointed and are required to be physicians.

In New York City, up until 1918 when the office of the coroner was abolished for the creation of a medical examiner model, there had been two coroners per borough.

An analysis of county adopted 2018 budgets shows that there are over 1,100 people working in medical examiner or coroner offices across NYS. There are over 114 elected coroners and deputy coroners in NYS—the vast majority of which serve in a part-time capacity. In 2018, counties across New York budgeted over \$122M for coroner and medical examiner services.



Dr. Gustav Scholer, physician, was the first Head Coroner for the City of New York.

## Purpose of Coroners and Medical Examiners

NYS County Law Article 17-A outlines the role of the Coroner, Coroner's Physician and Medical Examiner in New York.

A coroner or medical examiner has jurisdiction and authority to investigate every death within their county, or body found within the county, which is or appears to be:

- A violent death, whether by criminal violence, suicide or casualty;
- A death caused by unlawful act or criminal neglect;
- A death occurring in a suspicious, unusual or unexplained manner;
- A death caused by suspected criminal abortion;
- A death while unattended by a physician, where no physician is able to certify the cause of death.
- A death of a person confined in a public institution other than a hospital, infirmary or nursing home (i.e. in a jail).



## Duties of Coroners and Medical Examiners

The coroner, coroner and coroner’s physician (in the case the coroner is not a doctor), or the medical examiner have the following duties:

1. Shall make inquiry into unnatural deaths within their county as prescribed by law
2. Shall make inquiry into all deaths whether natural or unnatural in their county occurring to an inmate of a correctional facility.
3. Shall perform such additional and related duties as may be prescribed by law and directed by the board of supervisors (or county elected body, i.e. a county legislature).
4. In those counties in which the office of coroner has been abolished, the medical examiner shall perform such additional and related duties involving exercise of professional skills and training as may be prescribed by the board of supervisors (or a county elected body, i.e. a county legislature) and the district attorney.



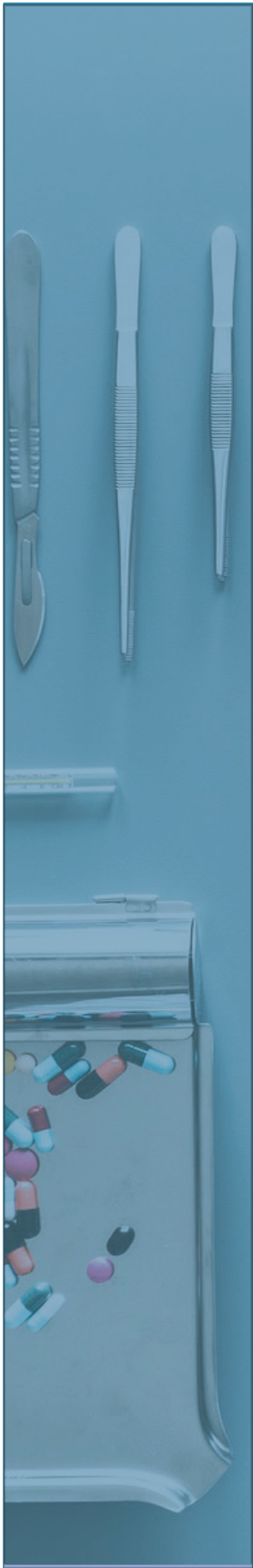
## Challenges Facing NYS Counties

### *Issue 1: Lack of Availability of Service Providers*

An emerging issue facing counties in New York is the lack of autopsy and toxicology services. Historically, many hospitals (both private and non-for-profit) have provided morgue services and toxicology services for medical examiners and coroners.

Recently, a trend has emerged in which hospitals are closing their morgues to coroners and medical examiners, or hospitals are increasing their costs for body storage and autopsy and toxicology services.

In addition to using private and not-for-profit hospitals, there are several counties in New York that operate their own facility autopsy services and offer them to neighboring counties. It comes as no surprise that counties with the highest costs and also the greatest revenue operate these programs. Revenue generated from these functions comes from other county governments. Erie County, Monroe County, Onondaga County, Westchester County, New York City, Suffolk County and Nassau County all perform some or all these services (autopsy, toxicology, morgue and cold body storage) in-house.

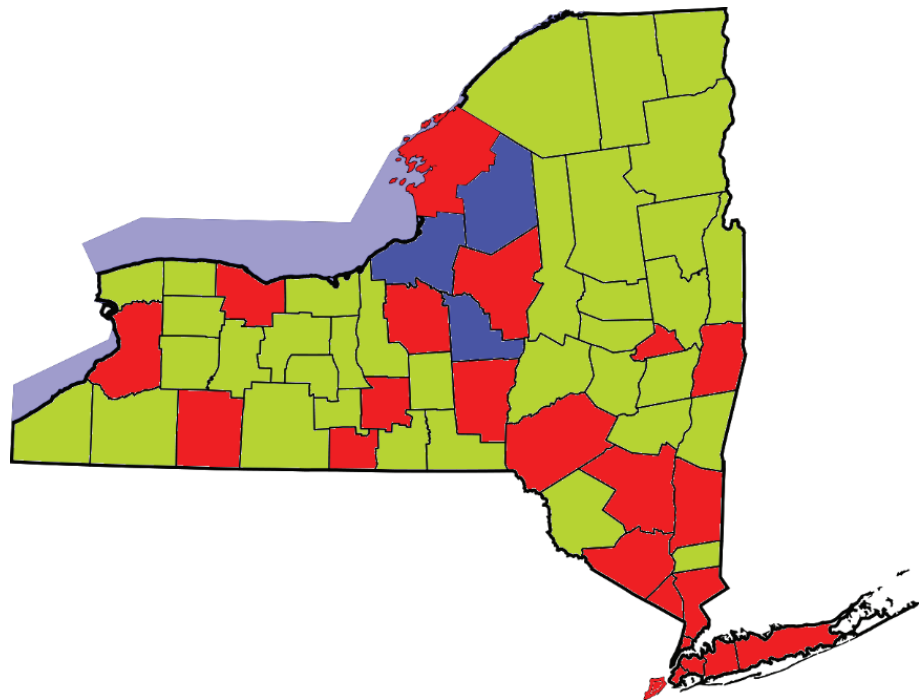


The medical examiner programs in these counties account for roughly \$108M of the \$122M or roughly 88.5% of the total 2018 budget for coroner and medical examiner services across all of the counties in NYS. The remaining balance is spread across the other counties, which use a combination of public, not-for-profit, and for-profit institutions for morgue and toxicology services.

Counties continue to search for opportunities to provide these services in the most cost-effective manner. However, just recently, the lack of morgue and toxicology resources has forced a 17-county region in Eastern New York State to re-think how they are going to provide these state-mandated services. This 17-county region was recently informed that a local hospital will no longer be conducting toxicology services and that autopsy fees have doubled. These counties are exploring both short and long-term solutions, including using other regional hospitals, and potentially establishing a regional facility under a shared-service model.

### *Issue 2: Shortage of Pathologists*

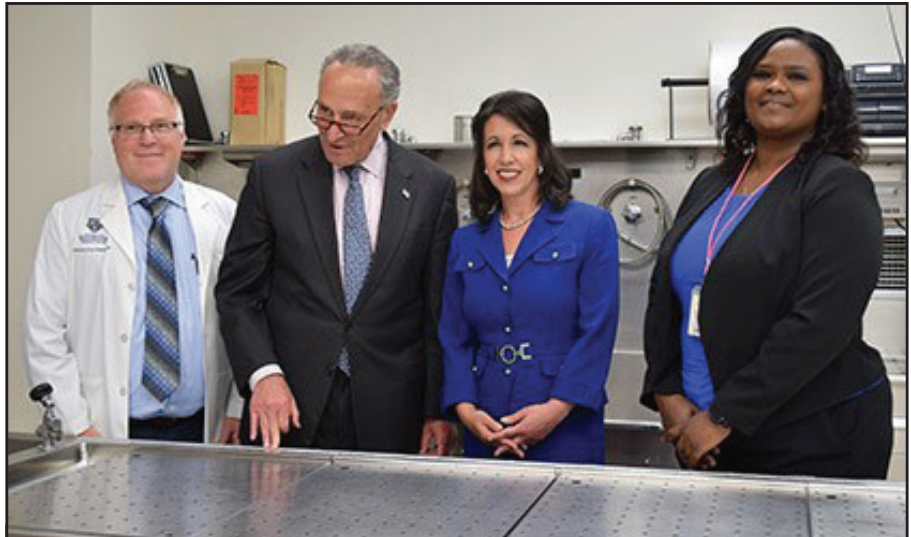
New York State and the entire country is facing a shortage of pathologists. According to the Scientific Working Group for Medicolegal Death Investigation, “of the more than 17,000 medical school graduates each year, only 30 to 40 ultimately become forensic pathologists, although about 600 will train in pathology. These facts signify a problem with recruitment of medical students into pathology and especially into forensic pathology.”



Red Counties have Medical Examiner Programs;  
Blue Counties have a District Attorney, Coroner Programs;  
Green Counties have Elected Coroners.

Dr. Granger, Medical Examiner for Monroe County, reported that in 2017, Senator Charles Schumer (pictured on right with Monroe County Executive Cheryl Dinolfo) was able to obtain assistance for a new Forensic Pathology Residency Program established at the University at Rochester which will begin operations in 2019. “Monroe County will partner with the University of Rochester Medical Center to bring a one-year fellowship to the area. The goal would be to attract medical residents training in the forensic pathology field—which examines causes of death, often in law enforcement cases—and potentially hire them to staff the local Medical Examiner’s Office.”

County Executive Cheryl Dinolfo has been a champion of this program, stating “we’re going to have a continuous supply of medical examiners, not just for Monroe County, but to hopefully help solve this crisis throughout the country.”



Senator Charles Schumer and Monroe County Executive Cheryl Dinolfo (pictured in the middle above) announce funding for a new Forensic Pathology Residency Program at the University at Rochester.

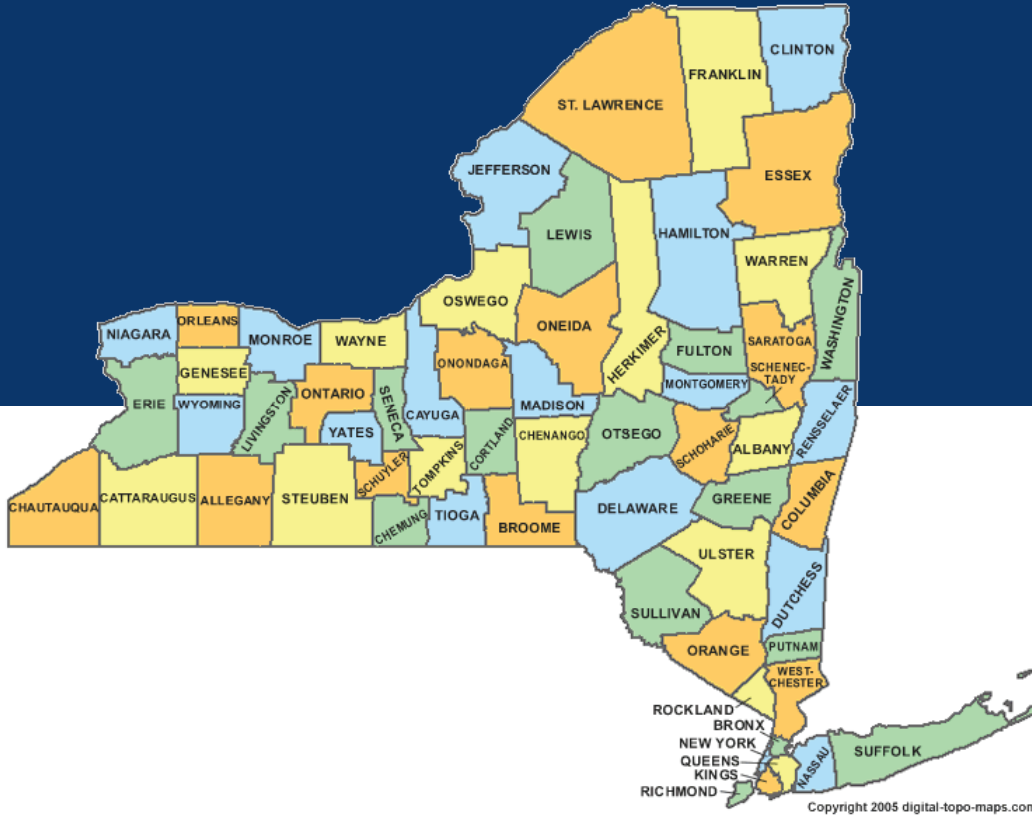
## COUNTY RECOMMENDATIONS

On behalf of its member counties, the New York State Association of Counties (NYSAC) is seeking state funding to support unattended death investigations.

Prior to 2011, county coroners and medical examiners were reimbursed up to 36 percent with state aid from Article 6 funding to local health departments. In 2011, the State Budget shifted the reimbursement for medical examiners from the New York State Department of Health (NYSDOH) to the New York State Department of Criminal Justice Services (DCJS) and the funding was no longer available as the state deemed this activity to be a public safety and not a public health function.

NYSAC urges the Governor and State lawmakers to provide funding to counties to help offset the increasing costs for state-mandated autopsy services. Given the 2011 loss of funding, and subsequent increases in costs and challenges facing county coroner services, we are advocating for the state to fund 50 percent of the autopsy and toxicology services impacting counties due to the changing pathology landscape in NYS and the opioid epidemic.

NYSAC is also asking for additional state support to provide coroners and medical examiners with a statewide web portal application to provide timelier violent death information and provide financial incentives when a county submits these records to the Department of Health.



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